

Appl. No. : 10/708,631
Amdt. Dated: August 7, 2008
Reply to Office Action of March 7, 2008

REMARKS

Claims 1-28 stand rejected. Claims 1, 4, 5, 8, 10, 15, 18 and 20 have been amended while claims 7, 9 and 23-28 have been canceled and new claims 29-34 have been added herein. Therefore, claims 1-3, 6, 7, 9, 11-14, 16, 17, 19, 21, 22 and 29-34 are pending and at issue.

This Amendment is being submitted after the Final rejection dated March 6, 2008 and the Advisory Action dated May 20, 2008. Applicants are submitting herewith a Request for Continued Examination and a petition for a two month extension of time. Therefore, Applicants respectfully request entry of the Amendment and reconsideration of the rejections of the claims.

As an initial matter, Applicants would like to thank the Examiner and the Supervising Examiner for conducting an interview regarding the present application. Applicants have amended the claims in accordance with the discussions during this interview. Furthermore, Applicants are submitting herewith a Response to the Interview Summary.

Claims 1-3, 6-14, 20, 22-24 and 26-28 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Publication 2004/0117654 to Feldman. This rejection should be withdrawn as the rejection is based on a misunderstanding of the present claims and/or a mischaracterization of the cited reference.

Claim 1 has been amended to more clearly recite the steps of the claimed method. Specifically, claim 1 has been amended to recite gathering information at the intermediate web site from the Internet user to determine if the web site is found in the list of first web sites likely to send bad traffic. Additionally, claim 1 has been amended to recite performing at least one of the following steps: providing a validation request if the first web site is in the list of sites likely to send bad traffic; and transferring the Internet user to the second web site if the first web site is not in the list of first web sites likely to send bad traffic. Feldman simply fails to disclose or suggest these features alone, let alone in combination with each other and the other features recited in the claim.

Applicants would like to point out that Feldman fails to provide a first web site database having a list of first web sites likely to send bad traffic. The Office Action points to paragraph 34, data store and paragraph 51. Admittedly, Feldman discloses a data store and the creation of a

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watch list of registered users, such as described in paragraph 51. However, the cited sections specifically address the creation of data stores or watch lists directed to specific registered users. At no point do the cited sections discuss any sort of *web site* database containing a list of *web sites* likely to send bad traffic. The Office Action has incorrectly determined that a database concerning registered users of a site is the same as a database listing of web sites likely to send bad traffic. The two terms are directed to databases for two completely different entities. A web site would refer many individual users while the registered user is simply a single registered user.

Moreover, Feldman does not disclose gathering information at an intermediate website to determine if the first web site is in the list of first web sites likely to send bad traffic. As discussed above, Feldman fails to disclose a database having such a list. Ignoring this deficiency, Feldman also fails to disclose gathering information to determine if the first web site is in this list. Feldman is directed to a completely different form of detection and analysis and thus fails to include such a determination regarding the web site, as required by the claim. Similarly, Feldman fails to disclose providing a validation request if the first web site is in the list of sites likely to send bad traffic and/or and transferring the Internet user to the second web site if the first web site is not in the list of first web sites likely to send bad traffic. Therefore, for these reasons, the rejection of claim 1 should be withdrawn and the claim allowed.

Claims 2-3 and 6, 7, 9 and 11-14 depend from and more specifically recite the features of claim 1. Therefore, for similar reasons presented above with respect to claim 1, the rejection of claims 2-3 and 6, 7, 9 and 11-14 should be withdrawn and the claims allowed.

Independent claim 20 has been amended to recite similar subject matter as recited in claim 1. Specifically, claim 20 has been amended to recite analyzing at least one of a number of recited features to determine if the affiliate site is likely to send bad traffic. Again, Feldman is directed to detecting robots, not detecting traffic sent from one web site (the affiliate) to another web site (the advertiser) to determine if the traffic sent is bad. Furthermore, claim 20 has been amended to recite adding the affiliate to the list of sites likely to send bad traffic based on the analysis and determination. As recited in the claim, once the affiliate has been added to the list, a subsequent Internet user referred from that affiliate is required to respond to a validation request before the user is transferred to the advertiser web site. Feldman fails to disclose adding

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an affiliate to a list of affiliates likely to send bad traffic. Feldman similarly fails to disclose requiring a subsequent Internet user respond to a validation request if the user was referred from an affiliate that was added to the list. Therefore, as Feldman fails to disclose or suggest one or more features recited in claim 20, the rejection should be withdrawn.

Claim 21 depends from and more specifically recites the features of claim 20. Therefore, for similar reasons presented above with respect to claim 20, the rejection of claim 22 should be withdrawn and the claim allowed.

Claims 4-5 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Feldman in view of Dunham. As discussed above, Feldman fails to disclose or suggest one or more features recited in claim 1, from which claims 4-5 depend. The proposed combination with Dunham similarly fails to disclose or suggest these features. Therefore, this rejection should be withdrawn.

Claims 15-19 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Feldman in view of Kirsch. As discussed above, Feldman fails to disclose or suggest one or more features recited in claim 1, from which claims 15-19 depend. The proposed combination with Kirsch similarly fails to disclose or suggest these features. Therefore, the rejection should be withdrawn.

Claims 21 and 25 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Feldman in view of Bellare. As discussed above, Feldman fails to disclose or suggest one or more features recited in claim 20, from which claim 21 depends. The proposed combination with Bellare similarly fails to disclose or suggest these features. Additionally, claim 25 has been canceled and is no longer at issue. Therefore, this rejection should also be withdrawn and the claims allowed.

New claims 29-34 are based upon claims 23-28, which are now canceled, and also include additional features. Furthermore, claim 29, from which claims 30-34 depend, includes features similar to those discussed above with respect to claim 1. The cited references, with particular reference to Feldman, fail to disclose these features.


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Specifically, claim 29 is directed to traffic between an affiliate web site and a advertiser web site. As discussed above, Feldman fails to disclose or suggest such web sites, let alone the recited traffic between the web sites. Additionally, Feldman fails to disclose or suggest transferring an Internet user to an intermediate web site and gathering information at an intermediate website to determine if the first web site is in the list of first web sites likely to send bad traffic.

Moreover, claim 29 recites the step of electronically determining if the advertiser web site is relevant to the keyword search. Regarding claim 23, now canceled, the Office Action cites to paragraphs 3 and 5-6 in Feldman for this feature. However, new claim 29 also recites providing a validation request to the Internet user if the keyword search is not relevant to the advertiser web site. Feldman's detection of robots, such as for search engine crawling, does not analyze the keyword search to compare to the advertiser's website and thus fails to provide a validation request to the Internet user if the keyword search is not relevant to the advertiser web site. Feldman is simply not concerned about how the advertiser's web site relates to the keyword search. Therefore, claim 29, and dependent claims 30-34 should be allowed.

Applicants respectfully request reconsideration of the rejections of the claims, favorable consideration of new claims 29-34 and allowance of the case. If any fees are due in connection with this application, the Patent Office is authorized to deduct the fees from Deposit Account No. 19-1351. If such withdrawal is made, please indicate the attorney docket number (35041-400400) on the account statement.

Respectfully submitted,

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